

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**ENDIA DICKSON,**

**Plaintiff,**

**vs.**

**Civil Action 2:09-cv-00166**

**Judge Edmund A. Sargus, Jr.**

**Magistrate Judge E. A. Preston Deavers**

**WALMART, INC.,**

**Defendant.**

**ORDER**

This matter is before the Court for consideration of the May 21, 2010, Report and Recommendation of the Magistrate Judge (Doc. 24). The Magistrate Judge recommended that Defendant's January 27, 2010, Motion to Dismiss for Failure to Prosecute (Doc. 13), and its Renewed Request to Grant its Motion to Dismiss (Doc. 23), be granted and that this action be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b).

The Report and Recommendation of the Magistrate Judge specifically advises parties that the failure to object to the Report and Recommendation within fourteen days of the Report results in a "waiver of the right to *de novo* review . . . by the District Judge and waiver of the right to appeal the judgment of the District Court." (Report and Recommendation, Doc. 24 at 8). The time period for filing objections to the Report and Recommendation expired. Plaintiff has not objected to the Report and Recommendation.

The Court reviewed the Report and Recommendation of United States Magistrate Judge

Elizabeth A. Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing such objections expired, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge. Defendant's January 27, 2010, Motion to Dismiss for Failure to Prosecute (Doc. 13) and its Renewed Request to Grant its Motion to Dismiss (Doc. 23) are **GRANTED**. The Clerk of Court is **DIRECTED** to enter **JUDGMENT**, dismissing this case **WITH PREJUDICE** pursuant Rule 41(b).

The Clerk of Court is **DIRECTED** to send a copy of this Order to Endia Dickson, 100 North Ashburton Road, Columbus, Ohio 43214 and to send a copy by electronic mail to [endiasummer@yahoo.com](mailto:endiasummer@yahoo.com).

**IT IS SO ORDERED.**

6-25-1010  
**DATE**

  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**